

**COMMONWEALTH OF VIRGINIA**  
**Department of Environmental Quality**  
**Valley Regional Office**

**STATEMENT OF LEGAL AND FACTUAL BASIS**  
**Minor Permit Modification**

McQuay International, Inc.  
Verona, Augusta County, Virginia  
Permit No. VRO80906  
Effective Date: July 27, 2000  
Expiration Date: July 27, 2005

As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, McQuay International, Inc. has applied for a minor permit modification to the Title V Operating Permit for its industrial and commercial scale air conditioning equipment manufacturing facility in Verona, Virginia. The Department has reviewed the application and has prepared a modified Title V Operating Permit.

Engineer/Permit Contact: \_\_\_\_\_ Date: \_\_\_\_\_

Air Permit Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Regional Permit Manager: \_\_\_\_\_ Date: \_\_\_\_\_

## **REQUESTED MODIFICATION**

McQuay International, Inc. submitted a Title V application dated October 5, 2000, and received by the Valley Regional Office (VRO) on October 11, 2000. Additional information in the form of a proposed draft permit was received on December 6, 2000. Specifically, the application requests that the Title V permit be modified to incorporate an extension to modify and operate the F-27OF paint booth, and construct and operate the P-16B and P-16C powder paint booths and the P-16 powder paint line equipped with a 1.5 MMBtu/hr natural gas cure oven. Condition IV.A.11 of the July 27, 2000 Title V permit states that initiation of these changes must commence no later than September 1, 2000. DEQ granted an extension of this requirement until February 28, 2002 in a letter to McQuay International, Inc. dated August 28, 2000.

## **REASON FOR MODIFICATION**

McQuay proposed, and received approval, for an extension to modify and operate the F-27OF paint booth, and construct and operate the P-16B and P-16C powder paint booths and the P-16 powder paint line equipped with a 1.5 MMBtu/hr natural gas cure oven. Condition IV.A.11 of the July 27, 2000 Title V permit states that initiation of these changes must commence no later than September 1, 2000. DEQ granted an extension of this requirement until February 28, 2002 in a letter to McQuay International, Inc. dated August 28, 2000. Accordingly, the Title V permit needs to be modified.

## **APPLICABILITY OF 9 VAC 5-80-210**

Minor permit modification procedures can only be used for those permit modifications that:

1. Do not violate any applicable requirement.

An extension to modify and operate the F-27OF paint booth, and construct and operate the P-16B and P-16C powder paint booths and the P-16 powder paint line equipped with a 1.5 MMBtu/hr natural gas cure oven will not result in the violation of any applicable requirements.

2. Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit such as a change to the method of monitoring to be used, a change to the method of demonstrating compliance or a relaxation of reporting or recordkeeping requirements.

There will be no changes to recordkeeping or reporting requirements.

3. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis.

The modification does not change any of the above referenced determinations.

4. Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable federal requirement and that the source has assumed to avoid an applicable federal requirement to which the source would otherwise be subject.

Such terms and conditions include:

- a. A federally enforceable emissions cap assumed to avoid classification as a Title I modification; and
- b. An alternative emissions limit approved pursuant to regulations promulgated under §112(i)(5) of the federal Clean Air Act.

McQuay International, Inc. does not have any of these types of limits in their Title V operating permit.

5. Are not Title I modifications.

The requested modification is not a Title I modification.

6. Are not required to be processed as a significant modification under 9 VAC 5-80-230 or as an administrative permit amendment under 9 VAC 5-80-200.

The requested modification does not qualify as an administrative permit amendment or a significant modification.

The modification can be processed using the minor permit modification procedures as defined in 9 VAC 5-80-210.

## **CHANGES TO TITLE V OPERATING PERMIT**

The changes to Title V operating permit are very minimal. The substantive changes are as follows:

Condition IV.A.II: States that the initiation of changes to the F-27OF paint booth, and the P-16B and P-16C powder paint booths and the P-16 powder paint line equipped with a 1.5 MMBtu/hr natural gas cure oven must commence no later than February 28, 2002.

## **PUBLIC PARTICIPATION**

The public participation requirements of 9 VAC 5-80-270 do not apply to minor permit modifications. Therefore, a public notice is not required.

Under 9 VAC 5-80-210, affected states and EPA shall be notified of the minor permit modification request within five days of receipt of a complete application. The minor permit modification can not be issued until the EPA's 45-day review period has expired.